

Exhibit 1

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August 26, 2021

VIA EMAIL

John M. Taladay
Baker Botts LLP
700 K Street, N.W.
Washington, D.C. 20001
john.taladay@bakerbotts.com

Re: *In re Cathode Ray Tube (CRT) Antitrust Litigation – MDL No. 1917,*
Master File No. 07-CV-5944-JST

Dear John:

As required by paragraph IV.C of the Court's Order re Discovery and Case Management Protocol (ECF No. 1128) and Civil Local Rule 30-1, Plaintiffs wish to confer about the scheduling of depositions of the following individuals:

- Chen Zhong Guo (陈忠国)
- Guo Mengquan (郭盟权)
- Li Miao (李淼)
- Si Yuncong (司云聪)
- Su Xiaohua (苏晓华)
- Wang Ximin (王西民)
- Wang Zhao-Jie (王昭杰)
- Wen Haiyang (文海洋)
- Xu Gao-Wen (许高文)

Please advise at your earliest convenience whether your clients will agree to produce these witnesses and, if so, when they will be available for deposition. Please also provide the names and availability of any individuals Irico previously identified as former employees who are presently employed by Irico (or any entity under Irico's control) and/or any individuals to be offered at trial. Plaintiffs reserve the right to seek information about and consult with you regarding additional individuals.

Thank you.

John Taladay
August 26, 2021
Page 2 of 2

Very truly yours,

/s/ R. Alexander Saveri

R. Alexander Saveri
Lead Counsel for the Direct Purchaser Plaintiffs

/s/ Lauren C. Capurro

Lauren C. Capurro
Lead Counsel for the Indirect Purchaser Plaintiffs

Cc: Evan J. Werbel
Thomas E. Carter
Andrew L. Lucarelli
Kaylee Yang
Geoffrey C. Rushing
Matthew D. Heaphy
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Daniel E. Birkhaeuser

crt.755

Exhibit 2

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November 2, 2021

VIA E-MAIL (RICK@SAVERI.COM,
LAURENRUSSELL@TATP.COM)

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Re: In re Cathode Ray Tube (CRT) Antitrust Litigation, MDL No. 1917, Master File
No. 07-CV-944-JST

Dear Rick and Lauren:

I write in response to your October 12, 2021 letter (“Oct. 12 Letter”) regarding depositions.

Regarding the potential depositions of Mr. Wang and Mr. Su, we understand that Plaintiffs would prefer to take the depositions in San Francisco. However, we note that the Order re Discovery and Case Management Protocol (ECF No. 1128) (“Deposition Protocol”) actually states depositions will “presumably take place in the Northern District of California unless a foreign witness or party shows that it is more appropriate to have a deposition taken at a place outside the United States.” We believe that the “more appropriate” location for these depositions is Hong Kong, and that the depositions should occur via videoconference given the ongoing pandemic. To be clear, Mr. Wang and Mr. Su are willing to sit for the requested depositions if they are held in Hong Kong, which would necessitate a mandatory two- to three-week quarantine upon their return to Mainland China. Neither is willing to take on the added risk to their own personal health, which they believe is threatened by travel to the United States at this time. Mr. Wang and Mr. Su are concerned with the significant number of new Covid cases occurring in the United States as compared to new cases reported in China and Hong Kong. China’s most recently reported daily average is 81 new cases country-wide, or statistically zero per 100,000 people, and Hong Kong’s reported daily average is three new cases, or fewer than one per 100,000, whereas

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R. Alexander Saveri
 Lauren C. Capurro

- 2 -

November 2, 2021

the United States' daily average of new Covid cases is 74,504, or 22 per 100,000.¹ Under these conditions, we believe that proceeding with these depositions via videoconference in Hong Kong is fully consistent with the language and spirit of the Deposition Protocol. We note that other courts have made similar accommodations given the ongoing pandemic. *See* Order Regarding Consent Addendums to the Fact Witness Deposition Protocol, *In re: Valstartan N-Nitrosodimethylamine (NDMA), Lostartan, and Irbesartan Products Liability Litigation*, Civil No. 19-2875 (D.N.J. Dec. 30, 2020), ECF No. 701. We are available to meet and confer with you regarding the logistics for orchestrating remote depositions of Mr. Wang and Mr. Su in Hong Kong.

Regarding your request to depose Mr. Chen, Mr. Si and Mr. Li, we continue to believe that the depositions of these senior executives with no knowledge of the facts relevant to the allegations in your complaint is inappropriate. Simply stating that their current "leadership positions justify taking depositions" does not warrant the burden of unnecessary depositions that would be placed on these senior executives, two of whom were not even employed at the company during the time period relevant to your allegations, especially when such depositions would require a mandatory two- to three-week quarantine upon their return to Mainland China. We also note that Mr. Li suffers from health issues that may preclude travel even to Hong Kong. We are available to meet and confer regarding these employees to allow plaintiffs to expand further on their rationale for such depositions.

Finally, you requested in your October 20 Letter to confer further regarding the former employees. We are available at your convenience.

Sincerely,

/s/ Evan Werbel
 Evan Werbel

cc: Geoffrey C. Rushing
 Matthew D. Heaphy
 Mario N. Alioto
 Daniel E. Birkhauser

¹ *See* <https://www.nytimes.com/interactive/2021/world/covid-cases.html>.

Exhibit 3

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November 16, 2021

VIA EMAIL

Evan J. Werbel
Baker Botts LLP
700 K Street, N.W.
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evan.werbel@bakerbotts.com

Re: *In re Cathode Ray Tube (CRT) Antitrust Litigation* – MDL No. 1917,
Master File No. 07-CV-5944-JST

Dear Evan:

We write in response to your November 2, 2021, letter regarding Plaintiffs' depositions of current and former Irico employees, and to request a meet and confer conference to discuss a number of related issues.

First, in light of the parties' disagreement over the location of the depositions, Plaintiffs intend to contact Judge Walker to resolve the matter in accordance with section VI of the Order re Discovery and Case Management Protocol (ECF No. 1128) ("Disputes that cannot be resolved through the meet and confer process shall be decided on an expedited basis by the Special Master through a telephonic hearing with no briefing unless ordered.").

Second, your November 2 letter indicates that you are willing to produce Messrs. Wang and Su (via videoconference from Hong Kong). Irrespective of location, you did not, however, state when you would be able to do so. Please provide additional information about the availability of Messrs. Wang and Su for depositions at your earliest convenience.

Third, please provide an update on the expected completion of Irico's document productions, including the timing and future volume. This information is relevant to the timing of the depositions.

Fourth, in our August 26, 2021, letter we asked you to "provide the names and availability of . . . any individuals to be offered at trial." Inasmuch as you have not

Evan J. Werbel

11/16/2021

Page 2

responded, we understand that you do not intend call anyone else at trial. Please notify us immediately if this is not correct.

Fifth, you state that Messrs. Chen, Si and Li have “no knowledge of the facts relevant to the allegations in your complaint.” However, Mr. Li, as a plant manager during the class period, will likely have information relating to production cuts and inventory levels, among other relevant facts. We also understand that Mr. Si may have been a director of Irico Display and Irico Group Electronics during the class period. Both Mr. Si and Mr. Chen may have information about the facts relevant to the alleged conspiracy both stemming from their roles at their previous companies and their roles in managing the defendant Irico companies after the class period. Moreover, all three will undoubtedly have information that will *lead* to the discovery of admissible evidence.

Sixth, Plaintiffs would like to meet and confer regarding the current availability of former employees.

Please let us know your availability later this week or early next week to meet and confer.

Thank you.

Very truly yours,

/s/ R. Alexander Saveri

R. Alexander Saveri

Lead Counsel for the Direct Purchaser Plaintiffs

/s/ Lauren C. Capurro

Lauren C. Capurro

Lead Counsel for the Indirect Purchaser Plaintiffs

Cc: John M. Taladay
Thomas E. Carter
Andrew L. Lucarelli
Kaylee Yang
Geoffrey C. Rushing
Matthew D. Heaphy
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Exhibit 4

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November 18, 2021

VIA E-MAIL (RICK@SAVERI.COM,
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Re: In re Cathode Ray Tube (CRT) Antitrust Litigation, MDL No. 1917, Master File
No. 07-CV-944-JST

Dear Rick and Lauren:

I write in response to your November 16, 2021 letter (“Nov. 16 Letter”) regarding depositions. We agree that most of the issues raised in your letter are best addressed in a meet and confer. We are available anytime on Tuesday, November 23, 2021 from 1:00 to 5:00 eastern. Please let us know what times work for Plaintiffs. Below we address some of the issues raised in your letter to facilitate our discussions.

First, Irico has no objection to involving Judge Walker in the ongoing disagreement regarding the location of the depositions.

Second, Irico is working with Messrs. Wang Zhaojie and Su Xiaohua regarding their availability for depositions and will provide dates as soon as possible. The everchanging COVID-19 crisis is delaying the finalization of these issues.

Third, in terms of Irico’s responses to outstanding Requests for Production, Irico has completed its search and production of materials from its archives. Irico is now working on collecting and producing responsive personnel records and is hoping to produce that information by the end of the month. Irico is also finalizing issues related to its production of sales summaries and/or records. We hope to have those issues resolved this month as well. Finally, Irico is still awaiting a response from Plaintiffs regarding the need to produce certain financial records discussed in our letters of October 11, 2021 and October 22, 2021.

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R. Alexander Saveri
Lauren C. Capurro

- 2 -

November 18, 2021

Fourth, Irico has not made any final decisions regarding potential witnesses at trial. We are still in the discovery phase of this matter. Irico does not believe that it is under any obligation to provide a list of trial witnesses to Plaintiffs at this time.

Fifth, we continue to disagree with Plaintiffs' suggestion that the depositions of Messrs. Chen, Si and Li are warranted in this matter, especially given the severe burdens placed on anyone traveling for a deposition given the pandemic. Mr. Li is not alleged to have been involved in the allegations raised in the complaint. The burden of the mandated quarantine coupled with his health issues certainly outweigh any minimal information he may have from his role working in the CRT plant. Regarding Mr. Si, we are not aware of any information that he had any role at Irico prior to 2013, and Plaintiffs provide no support for their statement that he "may have been a director of Irico Display and Irico Group Electronics during the class period." Based on your statements in your Nov. 16 Letter, it is clear there is no legitimate basis for the depositions of Messrs. Si and Chen, and your position is at odds with the well settled law in this district prohibiting the "apex" depositions of senior management with no firsthand knowledge of events from the relevant time period. *See M.H. v. Cty. of Alameda*, Case No. 11-cv-02868-JST, 2013 WL 5297176, at *1-2 (N.D. Cal. Oct. 3, 2013) (Tigar, J.); *see also Affinity Labs of Tex. v. Apple, Inc.*, No. C 09-4436 CW (JL), 2011 WL 1753982, at *16-17 (N.D. Cal. May 9, 2011).

As mentioned, we are available to discuss all of these issues on Tuesday, November 23, 2021. Please let us know your availability.

Sincerely,

/s/ Evan Werbel
Evan Werbel

cc: Geoffrey C. Rushing
Matthew D. Heaphy
Mario N. Alioto
Daniel E. Birkhauser

Exhibit 5

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December 3, 2021

VIA E-MAIL (RICK@SAVERI.COM,
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Re: In re Cathode Ray Tube (CRT) Antitrust Litigation, MDL No. 1917, Master File
No. 07-CV-944-JST

Dear Rick and Lauren:

I write to follow-up on our ongoing discussions regarding the scheduling of depositions for Mr. Wang Zhaojie and Mr. Su Xiaohua. As we have told you previously, Irco is prepared to offer these witnesses for depositions and both have agreed to be deposed in this matter. However, there are a number of issues involving the COVID-19 pandemic and Chinese law that are significantly complicating our efforts to schedule these depositions.

As you know we had planned to offer these witnesses in Hong Kong for remote depositions in December. Both Mr. Wong and Mr. Su remain willing to be deposed but are very concerned that travel may result in exposure to the coronavirus and about the severe quarantine requirements they would face. With cases worldwide on the rise and the new threat from the Omicron variant, the risks of contracting the coronavirus are of increasing concern.¹ Also, as discussed previously, Mr. Wang and Mr. Su will face quarantine periods of at least two- to four-weeks on their return to mainland China from Hong Kong. Irco has been unable to convince

¹ Just this week, the Omicron variant was identified in Hong Kong. See <https://www.scmp.com/news/hong-kong/health-environment/article/3157987/omicron-coronavirus-variant-could-greatly-reduce>.

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R. Alexander Saveri
 Lauren C. Capurro

- 2 -

December 3, 2021

either Mr. Wang or Mr. Su of their safety, so at this time we do not have a solution and do not anticipate being able to schedule these depositions in December or January.

As you know from our discussions, we have sought ways to produce the witnesses remotely from China, which would eliminate any travel risk. However, any depositions (including those conducted remotely) are prohibited in mainland China.² We therefore cannot lawfully propose that the depositions be conducted with the witnesses in China. As discussed on our last meet and confer call, if Plaintiffs have any authority that supports the lawful taking of depositions in mainland China, we welcome your input. Irico is also investigating whether it can obtain a waiver or exemption from the Chinese government to conduct the deposition, but it is not clear if or when such a waiver or exemption could be obtained. We understand that Plaintiffs' position is that Irico should force these employees to travel despite the legitimate health risks that they face, but we do not believe that is defensible given how courts have accommodated the health concerns of witnesses and lawyers during the pandemic.³

Given that Plaintiffs want to depose these witnesses and Irico wants to produce them but is unable to do so within the current discovery schedule, we recommend that all parties jointly approach the Court to ask for a discovery extension. We believe that a six-month discovery extension would give the parties the best chance to complete these depositions, which is what all parties want. In that time, we hope to be able to either produce the witnesses in Hong Kong or to identify a way of conducting the depositions remotely and lawfully from China. We are not proposing any changes to the current schedule for DPPs' class certification motion. Given the importance of the depositions to the factual record in the case, we propose that the agreement also should include pushing back the current IPP schedule by six months.

* * * *

² See, e.g., China Judicial Assistance Information ("China does **not** permit attorneys to take depositions in China for use in foreign courts" (emphasis in original)), available at <https://travel.state.gov/content/travel/en/legal/Judicial-Assistance-Country-Information/China.html>; see also Order Regarding Consent Addendums to the Fact Witness Deposition Protocol at 3, *In re: Valstartan N-Nitrosodimethylamine (NDMA), Lostartan, and Irbesartan Products Liability Litigation*, Civil No. 19-2875 (D.N.J. Dec. 30, 2020), ECF No. 701; *Ji v. Jling, Inc.*, 2019 WL 1441130, at *2, 4, and 6 (E.D.N.Y. Mar. 31, 2019).

³ See *Brower v. McDonalds Corp.*, No. 2:19-cv-02099-GMN-BNW, 2021 WL 3573633, at *2-3 (D. Nev. May 28, 2021) (holding that "even if certain persons are fully vaccinated, travel still presents a risk of infection because McDonald's has no control over the conduct or vaccination status of third parties"); see also *Mosiman v. C & E Excavating, Inc.*, No. 3:19-CV-00451-DRL-MGG, 2021 WL 1100597, at *2-4 (N.D. Ind. Mar. 23, 2021) (noting that "courts all around the country have found that the health concerns created by the COVID-19 pandemic are a legitimate reason to take a deposition by remote means").

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R. Alexander Saveri
Lauren C. Capurro

- 3 -

December 3, 2021

Please let us know whether Plaintiffs are amendable to our proposal by Tuesday, December 7. We are also available to meet and confer on these issues on Monday or Tuesday as well.

Sincerely,

/s/ Evan Werbel
Evan Werbel

cc: Geoffrey C. Rushing
Matthew D. Heaphy
Mario N. Alioto
Daniel E. Birkhauser

Exhibit 6

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February 24, 2022

VIA E-MAIL (RICK@SAVERI.COM,
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Re: In re Cathode Ray Tube (CRT) Antitrust Litigation, MDL No. 1917, Master File
No. 07-CV-944-JST

Dear Rick and Lauren:

We received your letter today regarding outstanding issues, and we are working on our responses to the various items. One pressing issue has arisen that we wanted to raise now. Irico has informed us that Mr. Wang and Mr. Su have not been able to obtain the necessary visas to travel to Hong Kong for depositions in March. The Covid numbers have been soaring in Hong Kong, as you have probably seen in recent press articles. *See* Grace Tsoi, Hong Kong: What went wrong with its Covid plan?, BBC News (Feb. 23, 2022), <https://www.bbc.com/news/world-asia-china-60474342>. Travel to Hong Kong has been curtailed, and the Customs Office has informed Irico that no visas can be issued to Irico employees for travel to Hong Kong at this time. Unfortunately, these issues are beyond Irico's control, and there is nothing that Irico can do to change these circumstances. Without the requisite visas, Mr. Wang and Mr. Su are not able to leave mainland China, and we do not believe the circumstances will change in the next few weeks based on the current Covid numbers in Hong Kong.

Given the above, we propose that the parties agree to another extension of the relevant deadlines to allow for some reduction in the Covid numbers in Hong Kong. We don't know exactly when travel will be allowed but believe that a three-month extension is appropriate at this time. If Plaintiffs are agreeable to this extension, we propose filing a joint stipulation and proposed order with Judge Tigar extending all currently scheduled dates except for the remaining dates related to DPPs' Class Certification Motion.

BAKER BOTTS_{LLP}

R. Alexander Saveri
Lauren C. Capurro

- 2 -

February 24, 2022

We are available to meet and confer if you would like to discuss these issues further.

Sincerely,

/s/ Evan Werbel
Evan Werbel

cc: Geoffrey C. Rushing
Matthew D. Heaphy
Mario N. Alioto
Daniel E. Birkhauser

Exhibit 7

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February 10, 2022

VIA EMAIL

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Re: *In re Cathode Ray Tube (CRT) Antitrust Litigation* – MDL No. 1917,
Master File No. 07-CV-5944-JST

Dear Evan:

We write regarding the depositions of Irico employees.

First, the depositions of Su Xiaohua and Wang Zhaojie are scheduled to take place via videoconference from Hong Kong no later than March 18, 2022. Could you please provide updates, if any, on the dates, timing and location of the depositions you propose to offer so that we can make appropriate arrangements?

Second, in light of Irico's recent supplemental interrogatory responses, Plaintiffs wish to confer about the scheduling of the deposition of Yan Yunlong. Please advise at your earliest convenience whether your clients will agree to produce this witness and, if so, when they will be able to do so.

Thank you.

Very truly yours,

/s/ R. Alexander Saveri

R. Alexander Saveri
Lead Counsel for the Direct Purchaser Plaintiffs

/s/ Lauren C. Capurro

Lauren C. Capurro
Lead Counsel for the Indirect Purchaser Plaintiffs

Evan J. Werbel

2/10/2022

Page 2

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March 15, 2022

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Re: In re Cathode Ray Tube (CRT) Antitrust Litigation, MDL No. 1917, Master File
No. 07-CV-944-JST

Dear Rick and Lauren:

As we have been discussing, the depositions of Mr. Wang Zhaojie and Mr. Su Xiaohua in Hong Kong cannot occur as planned prior to March 18, 2022 due to the ongoing COVID-19 emergency situation in Hong Kong. Irico has been working on alternate arrangements that will allow Irico to produce Messrs. Wang and Su, as well as Mr. Yan Yunlong, for deposition. Irico believes that Macau is likely to be the best location for these depositions given the current circumstances surrounding COVID in China. Irico's goal, subject to obtaining the appropriate visas from the Chinese government, is to produce the three witnesses in Macau by the end of May. Irico is currently working on submitting applications for travel to Macau to governmental authorities, and we will provide you a further update in the next two weeks.

In the meantime, Irico proposes that the parties stipulate to the removal of the current March 18, 2022 deadline for the depositions in Hong Kong of Messrs. Wang and Su, given the current circumstances in Hong Kong. We are happy to provide a draft stipulation.

We are available to meet and confer if you would like to discuss these issues further.

BAKER BOTTS_{LLP}

R. Alexander Saveri
Lauren C. Capurro

- 2 -

March 15, 2022

Sincerely,

/s/ Evan Werbel
Evan Werbel

cc: Geoffrey C. Rushing
Matthew D. Heaphy
Mario N. Alioto
Daniel E. Birkhauser

Exhibit 9

From: Werbel, Evan
Sent: Tuesday, June 7, 2022 6:55 PM
To: Matthew Heaphy; Dan Birkhaeuser; Rick Saveri; Geoff Rushing; Mario Alioto; Lauren Russell
Cc: Taladay, John; Carter, Tom; Lucarelli, Drew; Yang, Kaylee
Subject: RE: In re Cathode Ray Tube (CRT) Antitrust Litigation – MDL No. 1917, Master File No. 07-CV-5944-JST

All, As of today, the visa applications have not been approved. Irico believes that the visas may be granted tomorrow or later this week. We will keep you posted on the application status as Irico can't finalize any plans for deposition dates until the visa applications have been granted.

We have also learned that Mr. Su has resigned from Irico. He refused to agree to sit for a deposition in Macau given the severe, month-long COVID quarantine restrictions that he would face upon his return to China. Given his resignation, Irico has no ability to require Mr. Su to travel to Macau for the deposition so we do not believe we can move forward with scheduling that deposition.

Best,
Evan

Evan J. Werbel

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From: Matthew Heaphy <mheaphy@saveri.com>
Sent: Tuesday, June 7, 2022 2:30 PM
To: Werbel, Evan <evan.werbel@bakerbotts.com>; Dan Birkhaeuser <dbirkhaeuser@bramsonplutzik.com>; Rick Saveri <rick@saveri.com>; Geoff Rushing <geoff@saveri.com>; Mario Alioto <MAlioto@TATP.com>; Lauren Russell <LaurenRussell@TATP.com>
Cc: Taladay, John <john.taladay@bakerbotts.com>; Carter, Tom <Tom.Carter@BakerBotts.com>; Lucarelli, Drew <drew.lucarelli@bakerbotts.com>; Yang, Kaylee <kaylee.yang@bakerbotts.com>
Subject: RE: In re Cathode Ray Tube (CRT) Antitrust Litigation – MDL No. 1917, Master File No. 07-CV-5944-JST

[EXTERNAL EMAIL]

Evan:

Could you please provide an estimate of the dates you will be able to provide each witness for their depositions? We need reasonable notice to make the necessary arrangements.

Thank you.

Best,
Matt

From: Werbel, Evan <evan.werbel@bakerbotts.com>

Sent: Monday, June 6, 2022 2:47 PM

To: Dan Birkhaeuser <dbirkhaeuser@bramsonplutzik.com>; Matthew Heaphy <mheaphy@saveri.com>; Rick Saveri <rick@saveri.com>; Geoff Rushing <geoff@saveri.com>; Mario Alioto <MAlioto@TATP.com>; Lauren Russell <LaurenRussell@TATP.com>

Cc: Taladay, John <john.taladay@bakerbotts.com>; Carter, Tom <Tom.Carter@BakerBotts.com>; Lucarelli, Drew <drew.lucarelli@bakerbotts.com>; Yang, Kaylee <kaylee.yang@bakerbotts.com>

Subject: RE: In re Cathode Ray Tube (CRT) Antitrust Litigation – MDL No. 1917, Master File No. 07-CV-5944-JST

Dan, Please see proposed edits to the remote deposition protocol. Tried to clarify a few points on who will be on camera and on use of documents. Please let me know if you would like to discuss any of these edits. Also, I have not received an update on the visa applications, but we are trying to obtain a status update.

Thanks,
Evan

Evan J. Werbel

Baker Botts L.L.P.

evan.werbel@bakerbotts.com

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From: Werbel, Evan

Sent: Friday, June 3, 2022 6:12 PM

To: Dan Birkhaeuser <dbirkhaeuser@bramsonplutzik.com>; Matthew Heaphy <mheaphy@saveri.com>; Rick Saveri <rick@saveri.com>; Geoff Rushing <geoff@saveri.com>; Mario Alioto <MAlioto@TATP.com>; Lauren Russell <LaurenRussell@TATP.com>

Cc: Taladay, John <john.taladay@bakerbotts.com>; Carter, Tom <Tom.Carter@BakerBotts.com>; Lucarelli, Drew <drew.lucarelli@bakerbotts.com>; Yang, Kaylee <kaylee.yang@bakerbotts.com>

Subject: RE: In re Cathode Ray Tube (CRT) Antitrust Litigation – MDL No. 1917, Master File No. 07-CV-5944-JST

Dan, We are generally good with the protocol as drafted. We are finalizing one technical issue with the client now and will send you any edits on Monday. We should be able to file the protocol on Monday. Also hope to have an update for you on Monday on the visas.

Have a good weekend,
Evan

Evan J. Werbel

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From: Dan Birkhaeuser <dbirkhaeuser@bramsonplutzik.com>
Sent: Thursday, June 2, 2022 6:12 PM
To: Werbel, Evan <evan.werbel@bakerbotts.com>; Matthew Heaphy <mheaphy@saveri.com>; Rick Saveri <rick@saveri.com>; Geoff Rushing <geoff@saveri.com>; Mario Alioto <MAlioto@TATP.com>; Lauren Russell <LaurenRussell@TATP.com>
Cc: Taladay, John <john.taladay@bakerbotts.com>; Carter, Tom <Tom.Carter@BakerBotts.com>; Lucarelli, Drew <drew.lucarelli@bakerbotts.com>; Yang, Kaylee <kaylee.yang@bakerbotts.com>
Subject: RE: In re Cathode Ray Tube (CRT) Antitrust Litigation – MDL No. 1917, Master File No. 07-CV-5944-JST

[EXTERNAL EMAIL]

Evan:

Does Irico have any comments on our draft deposition protocol, or may we finalize it for filing?

Thanks.

Daniel E. Birkhaeuser
Bramson, Plutzik, Mahler & Birkhaeuser, LLP
2125 Oak Grove Rd. Suite 125
Walnut Creek, CA 94598
(925) 945-0200
dbirkhaeuser@bramsonplutzik.com

From: Werbel, Evan <evan.werbel@bakerbotts.com>
Sent: Thursday, June 2, 2022 1:50 PM
To: Matthew Heaphy <mheaphy@saveri.com>; Rick Saveri <rick@saveri.com>; Geoff Rushing <geoff@saveri.com>; Mario Alioto <MAlioto@TATP.com>; Lauren Russell <LaurenRussell@TATP.com>; Dan Birkhaeuser <dbirkhaeuser@bramsonplutzik.com>
Cc: Taladay, John <john.taladay@bakerbotts.com>; Carter, Tom <Tom.Carter@BakerBotts.com>; Lucarelli, Drew <drew.lucarelli@bakerbotts.com>; Yang, Kaylee <kaylee.yang@bakerbotts.com>
Subject: RE: In re Cathode Ray Tube (CRT) Antitrust Litigation – MDL No. 1917, Master File No. 07-CV-5944-JST

Matt, We are waiting on an update on the depositions and will get back to you when he hear.

Thanks,
Evan

Evan J. Werbel

Baker Botts L.L.P.

evan.werbel@bakerbotts.com

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From: Matthew Heaphy <mheaphy@saveri.com>

Sent: Wednesday, June 1, 2022 6:10 PM

To: Werbel, Evan <evan.werbel@bakerbotts.com>; Rick Saveri <rick@saveri.com>; Geoff Rushing <geoff@saveri.com>; Mario Alioto <MAlioto@TATP.com>; Lauren Russell <LaurenRussell@TATP.com>; Dan Birkhaeuser <dbirkhaeuser@bramsonplutzik.com>

Cc: Taladay, John <john.taladay@bakerbotts.com>; Carter, Tom <Tom.Carter@BakerBotts.com>; Lucarelli, Drew <drew.lucarelli@bakerbotts.com>; Yang, Kaylee <kaylee.yang@bakerbotts.com>

Subject: RE: In re Cathode Ray Tube (CRT) Antitrust Litigation – MDL No. 1917, Master File No. 07-CV-5944-JST

[EXTERNAL EMAIL]

Evan:

Could you please provide an update on the depositions today? Please let us know when you propose providing them.

Thank you.

Best,

Matt

From: Werbel, Evan <evan.werbel@bakerbotts.com>

Sent: Tuesday, May 24, 2022 3:43 PM

To: Rick Saveri <rick@saveri.com>; Geoff Rushing <geoff@saveri.com>; Matthew Heaphy <mheaphy@saveri.com>; Mario Alioto <MAlioto@TATP.com>; Lauren Russell <LaurenRussell@TATP.com>; Dan Birkhaeuser <dbirkhaeuser@bramsonplutzik.com>

Cc: Taladay, John <john.taladay@bakerbotts.com>; Carter, Tom <Tom.Carter@BakerBotts.com>; Lucarelli, Drew <drew.lucarelli@bakerbotts.com>; Yang, Kaylee <kaylee.yang@bakerbotts.com>

Subject: In re Cathode Ray Tube (CRT) Antitrust Litigation – MDL No. 1917, Master File No. 07-CV-5944-JST

All, I wanted to give you another update on the Visa applications for the Macau depositions. After some additional hiccups with the need for original documentation and other document problems, Irco believes that all issues with the Visas have been resolved and they hope the process will move forward smoothly at this point. Assuming that the Visas are granted early next week, we hope to be able to start the depositions the week of June 6th. If they are granted later in the week, we might need to push until the week of June 13th. We will keep you informed on the process as we receive additional information. Also, we believe that most of the technical issues can be handled as proposed in the draft deposition protocol. We are still waiting for some additional information from our client and to confirm how and when the test of the systems can be conducted. We should have more information by the end of the week.

Thanks,

Evan

Evan J. Werbel

Baker Botts L.L.P.

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Exhibit 10

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June 14, 2022

VIA E-MAIL (RICK@SAVERI.COM,
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2280 Union Street
San Francisco, CA 94123

Re: In re Cathode Ray Tube (CRT) Antitrust Litigation, MDL No. 1917, Master File
No. 07-CV-944-JST

Dear Rick and Lauren:

Regarding the depositions of Mr. Wang and Mr. Yan, Irico continues to work with the deponents to schedule those depositions in Macau. Unfortunately, Mr. Wang and Mr. Yan remain hesitant to leave Mainland China during the ongoing global pandemic.

As you are well aware, China has treated the global pandemic quite differently than the United States. China's Zero COVID policy has completely shut down cities of millions of people, forced COVID-positive individuals into isolation locations, and separated families of all ages. The Chinese government also imposes strict quarantine restrictions on anyone returning to Mainland China from abroad. Mr. Wang and Mr. Yan would face these significant quarantine obligations if they travel to Macau upon their return to Mainland China. Currently, this would require Mr. Wang and Mr. Yan to spend 21 days in centralized quarantine in a state-run facility followed by an additional 7 days of home quarantine. *See* http://sxwjw.shaanxi.gov.cn/sy/ztzl/fyfkzt/xwfbh/202107/t20210730_2185138_wap.html. Neither Mr. Wang nor Mr. Yan feel they can subject themselves to these obligations given health concerns and family obligations.

Irico remains committed to producing these witnesses for depositions in this matter. To that end, we propose that the parties agree to a further extension of the discovery schedule of six months. Irico believes that the quarantine obligations may be reduced in the coming months and that Mr. Wang and Mr. Yan will agree to travel to Macau once these obligations are lifted. We

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Lauren C. Capurro

- 2 -

June 14, 2022

are also willing to discuss other discovery mechanisms with Plaintiffs, if any can be identified, that would allow the parties to obtain the information sought through alternative means.

Sincerely,

/s/ Evan Werbel
Evan Werbel

cc: Geoffrey C. Rushing
Matthew D. Heaphy
Mario N. Alioto
Daniel E. Birkhauser

Exhibit 11

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June 17, 2022

VIA EMAIL

Evan J. Werbel
Baker Botts LLP
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evan.werbel@bakerbotts.com

Re: *In re Cathode Ray Tube (CRT) Antitrust Litigation* – MDL No. 1917,
Master File No. 07-CV-5944-JST

Dear Evan:

Plaintiffs do not believe that Irico is proceeding in good faith with regard to the depositions of Su Xiaohua, Wang Zhaojie, and Yan Yunlong based on your recent communications notifying us that Irico will not produce any of these witnesses by the Court ordered deadline of June 30, 2022, and will not produce Mr. Su at all.

Plaintiffs have been seeking the depositions of Messrs. Su and Wang—who Irico claims to be the only two witnesses with knowledge of Irico’s activities in relation to the alleged conspiracy—since August 26 of last year. Since December 2021, Irico has repeatedly represented that it would produce these individuals for deposition once Covid travel restrictions allowed and has stipulated to court orders requiring Irico to produce them. Plaintiffs have repeatedly relied on these continuing representations, agreeing to extend the deadlines for their depositions on three occasions. Plaintiffs did so just a few weeks ago on May 20, 2021, based on your representations that the depositions would occur promptly as soon as visas were obtained and travel arrangements to Macau were made. You had previously represented that you expected this to have occurred by mid-May.

Soon after we agreed to the last extension, Irico changed its position dramatically. On June 7, 2021, you informed us that Mr. Su had resigned from Irico and therefore would not appear for deposition. On June 9, 2021, you informed us that the necessary visas had been obtained and you were discussing “next steps” with Messrs. Wang and Yan. On June 14, 2021, however, you reversed your position and informed us that they would not appear because of quarantine restrictions.

Evan J. Werbel

6/17/2022

Page 2

The change in Irico's position is unreasonable and appears to be yet another example of your client's intent to avoid and delay this litigation. The quarantine requirements relied upon have existed since April 2021 and this inconvenience is not a reason to refuse to produce witnesses who have visas and are under Court order to appear. Please agree to produce Messrs. Wang and Yan on a date convenient to Plaintiffs, the remote deposition provider, and interpreter that is no later than July 22, 2002.

Please confirm by close of business on June 20.

Thank you.

Very truly yours,

/s/ Geoffrey C. Rushing

Geoffrey C. Rushing

Counsel for the Direct Purchaser Plaintiffs

/s/ Lauren C. Capurro

Lauren C. Capurro

Lead Counsel for the Indirect Purchaser Plaintiffs

Cc: John M. Taladay
Thomas E. Carter
Andrew L. Lucarelli
Kaylee Yang
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Exhibit 12

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June 22, 2022

VIA E-MAIL (RICK@SAVERI.COM,
LAURENRUSSELL@TATP.COM)

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Lauren C. Capurro
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2280 Union Street
San Francisco, CA 94123

Re: In re Cathode Ray Tube (CRT) Antitrust Litigation, MDL No. 1917, Master File
No. 07-CV-944-JST

Dear Rick and Lauren:

We write in response to your letter dated June 17, 2022 regarding the depositions of Irico witnesses planned for Macau and our proposal that the deposition schedule be extended for six months given the current COVID-19 circumstances and the severe quarantine obligations the witnesses would face upon return to Mainland China. You reject that proposal outright, misstate the clear record of Irico's diligent efforts to produce these witnesses, and incorrectly suggest that Irico has not acted in good faith.

To be clear, any suggestion that Irico has not acted in good faith throughout this process is patently false. The record is clear that Irico has done everything that it could to produce these witnesses for deposition despite a global pandemic, strict rules against the taking of depositions in China, and a Zero Covid policy in China that makes international travel extremely difficult and the return to China even more so. Irico has always intended and still intends to produce these witnesses for depositions, but these circumstances (which are clearly beyond Irico's control), as well as witnesses who do not want to suffer the consequences of the four-week quarantine requirements, have made it impossible to date. To avoid any doubt, Irico has never refused to produce these witnesses.

A brief review of the history of our discussions confirms Irico's continuing efforts to produce these witnesses and that Irico is not responsible for any intentional delay. From August until November of last year, Plaintiffs insisted on in person depositions. Initially, Plaintiffs

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R. Alexander Saveri
 Lauren C. Capurro

- 2 -

June 22, 2022

insisted on the depositions occurring in California, but, upon learning that Chinese citizens were not allowed to travel directly from China to the United States, Plaintiffs pivoted and required Irico to identify other locations where both Plaintiffs (from the United States) and Defendants (from China) could travel without significant quarantine. Unfortunately, no such location could be found. Finally, in November, Plaintiffs agreed to at least consider remote depositions. At the same time, Plaintiffs insisted that they would take the in-person deposition issue to Judge Walker because the U.S. lifted restrictions on travel from China—even though China had not lifted its travel quarantine obligations. Nov. 16, 2021 Letter from Saveri & Capurro to Werbel at 1. Because taking foreign depositions in Mainland China is forbidden under Chinese law¹, Irico then agreed to provide proposed remote deposition dates for these witnesses in Hong Kong and at the same time informed Plaintiffs that they did not object to Plaintiffs involving Judge Walker in the ongoing disagreement over the location of depositions. Nov. 18, 2021 Letter from Werbel to Saveri & Capurro at 1. Plaintiffs never pursued the issue before Judge Walker, and the Parties continued to work diligently towards completing these depositions remotely from Hong Kong. Unfortunately, during this time, COVID-19 spiked in Hong Kong and travel into and out of Hong Kong was severely limited. Irico ultimately could not obtain visas for its employees to travel to Hong Kong because of COVID -19, so Irico began looking for other places to take the depositions. p Irico and Plaintiffs then settled on Macau for remote depositions and Irico undertook the extensive process of obtaining visas for these witnesses to travel to Macau for the depositions. After considerable effort, Irico obtained the visas for the witnesses to travel in early June.

Ultimately, the individual deponents, rather than Irico, are objecting to participating in these depositions at this time. Plaintiffs cannot deny that these apprehensions are valid. Courts have repeatedly recognized the legitimate concerns of witnesses regarding the COVID-19 pandemic and allowed for accommodations or necessary extensions. *See Aileron Inv. Mgmt., LLC v. Am. Lending Ctr., LLC*, No. 8:21-CV-146-MSS-AAS, 2022 WL 93573, at *2 (M.D. Fla. Jan. 10, 2022); *United States v. Berglund*, No. 20-cr-00200 (SRN/TNL), 2021 WL 1589548, at *2 (D. Minn. Apr. 23, 2021). We also have shared various examples throughout this process as to how China's Zero Covid policy has impacted Chinese residents quite differently than in the United States. The current quarantine obligations for the return to Shaanxi Province (21 days in a government facility and 7 days of home confinement) are excessive and burdensome, and, from what we have been told, beyond what the witnesses are willing to endure. Ultimately, Mr. Su recently resigned from Irico expressing his reluctance to travel to Macau given the current quarantine obligations coupled with his family obligations. Regarding Mr. Wang and Mr. Yan, Irico has done everything it can to encourage the witnesses to travel to Macau immediately for the depositions. Irico has assured Mr. Wang and Mr. Yan that their work obligations will be covered by other employees, that Irico will cover all quarantine-related expenses for 21 days in

¹ During this time period, Irico continued to investigate, and encouraged Plaintiffs to as well, other mechanisms that might allow for testimony to be taken in Mainland China to avoid these travel and quarantine restrictions. To date, no straightforward alternatives have been identified by either party.

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R. Alexander Saveri
Lauren C. Capurro

- 3 -

June 22, 2022

the Chinese facility, that Irico will compensate the witnesses double time, and that Irico will give the witnesses a bonus financial incentive because of the over one-month continuous period that the witness will be required to be separated from their families. Mr. Yan and Mr. Wang still refuse to travel to Macau at this time, citing the quarantine and familial obligations. Instead, they have requested an extension of time to allow them to travel to Macau after the severe quarantine restrictions are lifted, which Irico believes may be in the coming months. Irico has never refused to produce these witnesses and has not changed its position throughout this process. At all times during this laborious process, Irico acted in good faith and fully intended for its employees to sit for depositions at whatever location could be arranged. There was no effort by Irico to avoid these depositions and Plaintiffs know it.

We also note that a six-month extension would not prejudice Plaintiffs in any way. In the DPP matter, the parties are currently awaiting a decision on class certification, and the Court has not set a schedule beyond discovery and class certification in this matter. For the IPPs, the parties are waiting for the Court to set a new trial date, which will not be before the end of July 2023. The parties should be able to work out a schedule that would allow for this extension of depositions while still working within that timeframe.

We continue to believe that a six-month extension is warranted at this time given these unprecedented circumstances. We are available to meet and confer and to continue these discussions whenever Plaintiffs are available.

Sincerely,

/s/ Evan Werbel
Evan Werbel

cc: Geoffrey C. Rushing
Matthew D. Heaphy
Mario N. Alioto
Daniel E. Birkhauser